

Draft Residential Zones Submission Coversheet

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Which of the following best describes you?

- General public
- Community based organisation
- Local government
- Peak planning or development industry organisation
- Individual or company involved in the development industry
- Planning or building consultant
- Other, please specify:

Do you wish to present your submission to the Advisory Committee?

- Yes No

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Response to New Residential Zones for Victoria Consultation Draft.

A. BASIC ASSESSMENT.

1. This entire concept is fatally flawed in four basic respects:-
 - It totally ignores the KNOWN preferences of the people of Victoria and, instead, panders to the interests of the Development lobby and the preferences of bureaucrats, which is always to slot people into convenient categories because that makes their own life so much easier.
 - The emphasis on smaller and smaller housing lots, for no good reason, is not only contrary to people's preferences but will cause unnecessary stress on families, leading to health problems, marriage breakdowns and an increase in juvenile delinquency.
 - It fails even to consider the REAL reasons why Melbourne is becoming clogged with traffic, let alone suggest a radical solution – which is urgently needed.
 - There is no appreciation that Australia, as a country, and even Victoria, as a state, has ample space for a relatively small population so there is no possible justification for compressing people's living space into smaller and smaller house lots which will only create slums and ghettos for the future. While it may well cost more, in the short term, to provide adequate infrastructure for larger house lots, this will be offset by improved health and marital stability because of lower stress levels.

2. In June 2005, the City of Casey Council produced a document, in conjunction with Maxine Cooper & Associates and SGS Planning & Economics, entitled 'Casey Housing Strategy' and this document will certainly be reflected in the public's attitude in other municipalities – when the politicians and bureaucrats develop the intestinal fortitude to ask them! **This Strategy document should be required reading for every individual involved in planning for Melbourne's future.** The document in question includes the following findings:-

“Community Preferences

All research to date in Casey emphasizes the importance the community attaches to the value of a suburban block, that is a detached dwelling with a front yard and a back yard.

In particular the research documented in the Community Issue Paper emphasizes the community's desire to have large lots available as part of the housing mix, and the research for the Neighbourhood Character Policy re-affirms that the form of the city generally expresses these suburban values.

The Casey research shows that housing preferences are complex and sometimes localized and these preferences change both as community values change as well as when the demographics of the community change. Some of the key preferences identified to date are as follows:

- The desire for larger houses.
- A preference for 3-4 bedroom houses, right across the family type and age spectrums.
- A desire for the availability of larger blocks to upgrade to.
- Backyards are important.
- The suburban block is important as it provides a level of control to the family that is not available in their wider, more complex and ever changing world, that is the house provides privacy, a safe area for the kids in the backyard, a place for large dogs.
- It is seen that smaller lots reduce this level of control over the family environment, one comment for example “*I don't want to hear the neighbours flush their toilet.*”.

“Housing Choice”

The ability for residents to trade up in the southern parts of Casey, is a choice that is difficult for the community at present. The ability to deliver such choice locally is seen as a fundamental objective.

And, later

- A range of lot sizes, in new areas.
- Large lot suburban housing (from 0.1 ha to 0.4 ha), Council's objectives in this area has implications in the south for the Urban Growth Boundary.

3. Strangely, this important document appears to have been completely ignored, by both Casey Council AND the State Government. One cannot help but wonder if this is due, at least in part, to pressure from the development industry supported by Council's desire for the maximum rates income from the smallest possible area.
4. Insofar as the REAL reasons for people's increased desire to live in and around Melbourne, there is one simple reason above all others – the need for employment. While there are undoubtedly many individuals who prefer to work (and live) in or close to the Central Business District, the vast majority of daily commuters only travel to central Melbourne because of their job and live in the outer suburbs/country areas either for lifestyle preferences or because of the lower cost (and availability) of suitable housing. These are the unfortunates who struggle in their daily journeys with Melbourne's inadequate roads and/or the sardine cans which pass for the Metropolitan Railway system's trains.
5. Melbourne's roads are already totally inadequate for the traffic loads and the railway system is rapidly approaching saturation point in its peak travel time capacity. Even the purchase of many additional trains will not really help if the capacity of the system is insufficient to carry them without unacceptable delays, both to the trains themselves and to road traffic at the many level crossings. The situation is made even worse because of the volume of through traffic (mainly on roads) which has to use the same infrastructure facilities as commuter traffic. The railway situation will become much, much worse with the inevitable push for standard gauge tracks to parallel (or replace) some of the existing broad gauge tracks to allow for interstate freight to proceed without transshipment between different gauge rolling stock.
6. Possible solutions:-
 - (a) Short to Medium Term:-
 - Build a Freeway link between either EastLink or the Eastern Freeway to the Metropolitan Ring Road at Greensborough. This will immediately remove, from the busiest section of the Monash Freeway and the CityLink tunnels, much road traffic traveling between the South, South East and Gippsland on the one hand and the Hume Freeway on the other.
 - Accept that it is impractical to build additional railway lines from outer suburbs to the City, although it MAY be possible to reduce car dependency by building one or more circular lines to encourage cross suburb railway travel.
 - Encourage large employers in the CBD to increase the use of flexitime and/or shift work to spread the use of roads and public transport over a longer period of time during peak hours. This may of limited benefit since both the morning and evening peak travel times are each approaching four hours in duration.
 - (b) Longer Term.
 - The State Government should adopt a policy of **actively** encouraging major employers to move administrative functions out of Melbourne altogether to regional or even rural centres. Many, if not most, of these activities no longer need to be centralized in one office building because of modern communication facilities, such as the direct computer links, broadband, the Internet, E-Mail, Fax machines and mobile telephones. This policy, in itself, would reduce the demand for office space, travel facilities and housing in Melbourne's suburbs. Experience in the U.K. is that it will also improve the lifestyle and health of employees AND reduce costs to employers.
 - Both State and Federal Governments should also take steps to move all functions which do not absolutely HAVE to remain in Melbourne to, again, regional and/or rural centres, for exactly the same reasons and with the same benefits to both employees and employers – i.e. the tax paying public.
 - Consider providing **genuine** high speed rail links between expanding rural/regional cities and Melbourne (including the airports) to cater for occasional business travel between rural/regional offices and much smaller Melbourne city centre facilities AND interstate/international travel.

7. Other Benefits.
- The initial, and substantial, benefit of changing the approach to Melbourne's growing population problem will be the elimination of any extension to the Urban Growth Boundary which, at least in the South East, will remove any threat to high grade agricultural land.
 - As a further benefit to the Taxpayer, the Growth Area Authorities bureaucracy could be disbanded immediately.

B. Specific Comments on Consultation Draft

1. Omissions.
- There is no reference whatsoever in this document to the 'Low Density Residential Zone' (LDRZ), which exists in many suburbs. The implication of this omission is that **ALL** LDRZ areas will disappear and be absorbed into one or other of the new zones. This is already apparent in the City of Casey where the Growth Areas Authority (GAA) has prepared an amendment to the Casey Planning Scheme which includes rezoning one Estate from LDRZ to Urban Growth Zone – for future residential development – **which directly contradicts the expressed wishes of the great majority of property owners AND THIS IS SUPPORTED BY THE CITY OF CASEY COUNCIL.**
2. Specific comments:-
- **Ref. Page 1 – Minister's foreword** Several claims in this do not stand up to closer scrutiny:-
 - The demand for 'different types of housing' is more likely to be driven by the development and construction industries than by the expressed wishes of the community. This could lead to a repetition of the planning disasters of the 1950's when tower blocks of flats were seen as the answer to lower cost housing for the less well off.
 - Squeezing more and more people on to smaller and smaller blocks will do nothing to protect our heritage, trees and streetscapes. In fact, it does exactly the reverse with only very narrow spaces between houses (which makes maintenance difficult and costly or even impossible), young trees will be destroyed by vandals and streetscapes will be defaced by graffiti.
 - Housing affordability is frequently destroyed by greedy developers who buy large greenfield sites, then delay development to force a shortage of supply leading to very large increases in the cost of individual house lots, coincidentally increasing the profits of those developers. The only answer to this problem is for State and/or Federal Governments to impose a penalty tax on developers who hold land undeveloped for more than (say) three years. This tax should then be increased every subsequent year on a logarithmic scale until the land IS developed and individual lots offered for sale. The taxes collected in this way could then be passed on to new home purchasers as a long term replacement to the new home buyers grants.
 - WHICH councils have asked for better ways to manage residential development in planning schemes – and WHY?.
 - **Ref . Page 3 – Why we need new zones**
 - The biggest single problem facing Councils establishing planning controls that reflect the wishes of their community is the constant over-riding by VCAT of Councils' decisions in regard to planning applications. This is frequently directly contrary to Minister Madden's statement to Jon Faine during a radio interview that VCAT does NOT have the right to over-ride a Council's **written** policies.
 - **'How will councils use the new zones?'** 'The provision of smaller or larger backyards' This does NOT provide Councils with the right to stipulate MINIMUM subdivision sizes for specific neighbourhoods, which will only lead to ad hoc subdivisions, which could well be totally inappropriate, in areas previously subject to specific minimum subdivision sizes.

- Ref. **Page 5 – New zone features**
 - Will existing residents and property owners have the right to object to the application of a specific new zone to their neighbourhood, regardless of who is making the decision to apply that zone?
 - The new zones '*Allow capacity to specify preferred neighbourhood character and preferred design outcomes*' BUT will that 'capacity' be solely the prerogative of the local Council or will State Government ministers or other bodies, such as the GAA, also have that right, and possibly the authority to override Councils?
 - Will VCAT still be able to override either the default maximum building height OR any council defined variation to that default maximum?
 - While the third party notice, objection and appeal provisions are to be retained in all zones, there is no stated requirement for planning/building applications to be advertised, which effectively negates those rights. Also, what rights will still exist in areas/neighbourhoods NOT covered by the new zones?

- Ref. **Page 8 – What about residential developments over three storeys?**
 - Will VCAT be **instructed** that they will no longer be able to override councils' decisions restricting the height of new buildings proposed by developers?

- Ref. **Page 8 – What happens in Greenfield areas?**
 - Since the 'Urban Growth Zone' is obviously intended to be restricted to larger scale developments, will the GAA, or Councils, have the legal right to apply that zone to neighbourhoods which are already zoned residential – such as '**Low Density Residential**'? **A RESPONSE TO THIS QUESTION IS REQUIRED URGENTLY. See first bullet point under B. Specification Comments on Consultation Draft 1. Omissions above.**

- Ref. **Pages 7, 19, 28 and 39 – New Zones and Codes shown on planning scheme maps.**
 - Why are the zone identifier codes used exactly the same as the current codes, although the uses can be very different? For instance, the existing residential zones 1 and 3 are both anticipated to be in the Incremental Change Zone, identified as '**RIZ**', allowing a building height of up to 3 storeys, which would be totally inappropriate in many existing neighbourhoods. This re-use of existing codes will be extremely confusing, especially for individuals and organizations which retain copies of old maps.
 - Will Councils be able to change zones for specific neighbourhoods.. For instance, the Substantial Change Zone is obviously suitable for greenfields sites, and for areas which are scheduled for extensive redevelopment BUT will that zone be appropriate when development is substantially complete, when one of the other zones may be much more appropriate?

- Ref. **Page 15 – Summary**
 - The claim is made that all three new zones '*retain third party notice, objection and review provisions*'. However, the past history of VCAT decisions AND 'calling in' by the Minister (particularly the present incumbent) will not give the taxpaying public any faith at all in the effectiveness of these claims.

- Ref. **Page 19 – Clause 32.02-2 Table of Uses.**
 - Why is '**Office**' a '**Permit required**' use in this **Substantial use zone** when it is a '**Prohibited**' use in both the Incremental and Limited Change Zones, where such a use MAY already exist?

- Refs. **Page 22 – Clause 32.02.4, Page 32 – Clause 32.01.4 and Page 43 – Clause 32.06.5** all state whether or not a '**Permit**' is required but do NOT specify whether such a permit is a PLANNING or BUILDING permit. Surely a building permit is mandatory for all residential buildings?

- Ref. **Page 27 – Incremental Change Zone**
 - Under 'Where can this zone be applied', the statement '*The preferred future character of the area may be formed by the existing housing, by rejuvenating or renewing existing housing or by providing new housing that creates a new neighbourhood character.*' It appears that this could be abused by councils and/or developers to progressively change specific neighbourhoods, such as Low Density Residential, into medium density residential, thus completely destroying the existing character. This is particularly worrying as at least one council officer has stated that the wishes of existing property owners can be ignored by council.
 - Under 'What will councils be able to control?' individual councils will be able to specify height levels, both lower or higher than the standard 9 metres (3 storeys). **Is there a guarantee that neither VCAT nor the Planning Minister will be able to override a council specified height?**
- Ref. **Page 29 – INCREMENTAL CHANGE ZONE Purpose**
 - Why is the third purpose '*To encourage residential development that respects the neighbourhood character.*' NOT the first, or at least the second, 'Purpose'?
- Ref. **Page 32 – Clause 32.01-4 Construction and extension of one dwelling on a lot**
 - Why is there no reference to lot sizes over 500 Square Metres? If the current minimum subdivision lot sizes currently stipulated for other zones, such as the 4,000 Sq. M. stipulated for the Low Density Residential Zone, disappear under this proposal, there appears to be NO safeguard against the destruction of neighbourhood character, which is supposedly a feature of this proposal.
- Ref. **Pages 35 and 47 SCHEDULES TO THE INCREMENTAL and LIMITED CHANGE ZONES**
 - **Clause 4.0 Permit requirement for one dwelling on a lot** It appears illogical to ask a question at this point in a Schedule.
- Ref. **Page 37 – Limited Change Zone – What is the role or purpose of this zone?**
 - The following should be added – '**To retain the character of neighbourhoods which have been substantially (and lawfully) developed in the past to provide an environment and lifestyle which would be destroyed by significant changes to development standards.**'
 - **What will councils be able to control?** Councils must NOT have the power to change the character of an established neighbourhood WITHOUT the prior agreement of the owners of the majority of the properties in that neighbourhood. This must also apply to the maximum building height.

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